

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MEI KUM CHU, SAU KING CHUNG, and QUN  
XIANG LIN, individually and on behalf of all others  
similarly situated,

*Plaintiffs,*

- against -

CHINESE-AMERICAN PLANNING COUNCIL  
HOME ATTENDANT PROGRAM, INC.

*Defendant.*

No. 16-cv-3569 (KBF)

**DECLARATION OF MEI KUM CHU**

MEI KUM CHU, under penalty of perjury, declares:

1. I am a named Plaintiff in this case. I was employed by the Chinese-American Planning Council Home Attendant Program, Inc. ("CPC") from approximately January 25, 2003 to approximately October 14, 2013 as a home care aid.

2. As a home care attendant for CPC, I provided care to CPC's homebound clients. My job duties included helping the clients with walking, bathing, dressing, personal grooming, meal preparation, feeding, and toileting. I was also required to do light and heavy cleaning (such as vacuuming, mopping, dusting, and cleaning bathrooms), doing laundry, taking out garbage, shopping, running errands for the clients. I also escorted clients to their appointments and other outings.

3. For the entire time I was employed by CPC, I was paid \$10 per hour for shifts worked on the weekdays and \$11.10 per hour for shifts worked on the weekends. I also received an additional \$16.95 every time I worked a 24-hour shift.

4. After I stopped working on or around October 14, 2013, I stopped receiving any pay from CPC.

5. Since I stopped working for CPC, the injuries I developed while working for CPC have prevented me from taking another job.

6. When I first started working for CPC in or around January 25, 2003, I had to begin paying dues to 1199SEIU (the "Union") right away. However I did not start to receive any benefits from the Union until three months afterwards. More than \$10 was deducted from my paychecks each month to cover my insurance and other benefits. The Union also deducted additional money for "political action." At first, that was a \$5 deduction. At some point in time, that deduction went up to \$10 per month.

7. When I stopped working for CPC on or about October 14, 2013, I stopped paying any dues or other monies to the Union.

8. Sometime in January 2016, I learned that the Union was holding a meeting to talk about a new contract between the Union and CPC that might affect my former co-workers' rights to sue CPC. The meeting was being held at the Union's headquarters.

9. I went to attend the meeting so I could learn more about the new contract. At the entrance to the building were several Union representatives were checking names off a list. A woman asked me for my name. I gave her my old CPC identification card. She told me that she could not find my name on the list. She said that it must be because I was no longer

working for CPC and not a member of the Union anymore. She told me that I could not enter the building and attend the meeting.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 15, 2016  
New York, NY

  
MEI KUM CHU

Pursuant to 28 U.S.C. § 1746, I, Wendy Cheung, hereby declare that I speak Cantonese Chinese and English fluently and that I interpreted the foregoing declaration to Plaintiff Mei Kum Chu.

Dated: June 15, 2016  
New York, NY

  
WENDY CHEUNG

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